

ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD
MINUTES OF MEETING HELD JANUARY 24, 2001
RIO SALADO COMMUNITY COLLEGE

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on January 24, 2001, at Rio Salado Community College, 2323 W. 14th Street, Tempe, AZ.

Members Present:

Chairman Jack Rose
Sheriff Joe Richards
Mr. Robert Forry, representing Director Stewart
Chief Harold Hurtt
Chief John Corder
Director Dennis Garrett
Lt. Robert Kimmins, representing Sheriff Dupnik
Mr. Jim Garcia
Sgt. Gary Eisenga
Sgt. Debbie Francis
Ms. Laura Reckart, representing A. G. Janet Napolitano

Members Absent:

Attorney General Janet Napolitano
Director Terry Stewart
Sheriff Clarence Dupnik
Chief Jerry Sheridan
Mrs. Jan Cross

Staff in Attendance:

Counsel for Board in Attendance:

Diana Stabler, Asst. A. G.

Guests in Attendance:

Sandra Walker, ADC

Leonard G. Butler, Director, Dept. of Resource Enforcement, Navajo Rangers

Mervin Yoyetewa, Hopi Resource Enforcement Services

Bobby J. Harris, Chandler Police Department

Sgt. Jim Tolleson, Chandler Police Department

John L. Pickens, ASU Police Department

Kay Gojkovich, ASU Police Department

Mark Brown, Goodyear Police Department

Peter Nick, Goodyear Police Department

Sam Weiss, CARLOTA

Jan Madeya, ACIP

Glenn Nichols, Benson Police Department

David Brown, Rio Salado College

Luis Martinez, Gila River Police Department

Rod Covey, AZ DPS

Steve Forster, Phoenix Police Department

Dean Burrow, Yuma Police Department

Rick Colwell, Yuma Police Department

Michael Napier, Attorney

Cesar Fazz, Yuma Police Department

C. CONSENT AGENDA

Approved unanimously, motion by Sheriff Richards, seconded by Director Garrett.

1. Minutes for the meeting held on November 29, 2000, were approved as written.

2. Income and Expense Statement - November 2000 - approved as recorded.

Funds as of November 1, 2000	\$585,952.55
CJEF Revenue	386,571.29
Expenditures/Encumbrances	(360,898.53)
Balance for November 30, 2000	\$611,625.31

3. The next scheduled Executive Session according to A.R.S. §38-431.03.A.1, 38-431.03.A2, and/or A.R.S. §38-431.03.A.3 or A.4: Wednesday, March 21, 2001, 1:00 p.m., at the Windemere Hotel, 2047 S. Highway 92, Sierra Vista, AZ.

4. The next scheduled Regular Meeting is Wednesday, March 21, 2001, 1:30 p.m. at the Windemere Hotel, 2047 S. Highway 92, Sierra Vista, AZ.

5. Ministerial Actions:

- a. Certification waivers: The following individual(s) have met the requirements set forth in AZ POST Rule R13-4-110 and have

1. Aurora Platinum Best of Show Award - AZ POST entered their "Suicide by Cop" program in the Aurora Award competition, an international competition honoring excellence in the film and video industries. They received the Aurora Platinum Best of Show award, the most prestigious award given in this competition. Tom Hammarstrom recognized the following POST staff members for their excellent job performance: Mr. Ed Routh, Manager, Distance Learning; John Musich, Adjunct Staff, Northern Arizona University; Rosalee Fitch, Training Specialist; and Bert Brosius, Volunteer. The Board congratulated the Distance Learning team on a job well done.
2. Transitional Training for Supervisors and Managers - Lyle Mann introduced Chief Bobby J. Harris, Chandler Police Department, to speak before the Board on this issue. Chief Harris is concerned that first-line supervision schools are infrequent and have limited openings, while statewide transition training for middle managers in law enforcement appears to be non-existent.

Chief Harris is sending two lieutenants to a California POST Management course which is required for every peace officer in the state of California who is promoted to the rank of lieutenant. Chief Harris stated that lesson plans, etc., will be brought back from California to be shared with POST and other interested law enforcement agencies. Chief Harris requested that AZ POST review mandatory transitional training for both first-line supervisors and middle managers.

Lyle Mann stated that funding was the issue in the past regarding training for high-level officers. The Articulation Task Force, comprised of representatives

Tom Hammarstrom stated that POST has a demonstrated capacity at distance learning through the efforts of Ed Routh and his staff. Distance learning is a good, successful program, and now is the time to take what we have learned and expand into other technologies and other methods.

E. REPORTS

1. AZ POST

- a. Decertification Status Report Update. Tom Hammarstrom gave a brief overview of the report, stating that the Certifications and Standards Unit has a current caseload of 95 active cases. Of those 95 cases there are 14 cases that are ready for initial presentation, 23 cases which require further investigation, 7 cases that are pending service or response to complaint, 4 cases that are pending hearing, 15 cases which are presented today for final action of the Board, and 32 cases which are awaiting outside action. The report was informational only - no action required.
- b. Special Projects Update. Lyle Mann stated that for the next six months all of the scheduled classes are full with a waiting list. As far as the vacant Training Specialist position is concerned, POST is in the process of identifying someone for that position.
- c. HGN Certification - Asst. A. G. Diana Stabler gave a brief report alerting the Board to a misuse of POST records by a local attorney. To alert officers in the field, a "heads-up" will accompany these minutes.
- d. Tom Hammarstrom gave a brief report on a specialty curriculum by the City of Phoenix for arson investigators. The city has indicated an

civil service or merit system results binding and does not recognize the authority of the Peace Officer Standards and Training Board. The AZ POST staff has opposed this bill at the Board's direction, and we have found very strong support for that opposition within the law enforcement community.

The second bill is the Central Arizona College Appropriation Bill. This Board has provided Central Arizona College with substantial funding to begin the development of a driving track and other special training areas. CAC has gone to the Legislature to seek additional funding for the completion of that project. AZ POST supports this bill.

The third bill will provide the Department of Insurance authority to appoint certified peace officers as fraud investigators. This will not have substantial impact on AZ POST.

The fourth bill relates to Constable training. Lyle Mann has been involved in discussions with Senate committees regarding the scope of Constable activities as it applies to POST. We will be responsible under this bill for approving a curriculum of training for incoming Constables. It will not have an impact on the POTF, and we will not be required to provide training.

The fifth bill is the 20-year DROP bill. The result of this could be that if the DROP bill is passed, a number of officers will enter into this program and in five years they will all leave the profession at the

from the test questions created by the SME committees. They have tested 421 cadets, and 1,980 different questions have been pilot tested at the different academies. We expect to do the full comprehensive pilot tests in the Fall, so all academies, as well as AZ POST staff, can become familiar with the logistics of administering this large test. The test will approximately be 450 - 600 questions, depending on Dr. Haladyna's recommendation in regard to validation of this test.

There are 15 different SME committees that are building the approved lesson plans from the eight functional areas of basic training. As of today, 40 separate lesson plans have been sent out, 22 more are expected to go out by the end of this week, for a total of 62 in this first phase. Counting all of the individual lesson plans that comprise some of the larger areas like Law and Legal, we have a total of 98 individual lesson plans that are being reviewed and revised by the SME committees.

The rest of the approved lesson plans will be ready to go out by March 30, 2001. They are going out to the academies; the academies are then distributing them to their individual instructors for review, comments and suggestions. Those will come back and be distributed to the SME committees for their review to see if they agree or disagree. If they disagree, we will have to get representatives of the academies and the SME's together for discussion. The second phase will then come back, and we should be ready to begin teaching from the approved lesson plans, pilot the comprehensive tests in the Fall, and be ready for official business early in 2002. Lynn Larson thanked the Board members for allowing their employees

agencies. On January 8, 2001, Class #73 began with 17 cadets representing eight agencies. As of January 24, 2001, there are 15 cadets remaining. These cadets are in the middle of their third week. Class #74 will begin on March 4, 2001.

Mr. Lynn Larson gave a summary of the remaining academies:

Mesa Police Academy - Lt. Dvorak reported that they have one class in session which is in their 14th week - Mesa Academy goes 20 weeks. They have 30 recruits, and they are finishing their third set of four sets of field problems. The last field problems are scheduled for February 6 - 9, 2001. This class is scheduled to graduate March 2, 2001, and Class #16 will begin March 19, 2001, with an expected class of 45 recruits. The new auditorium and classroom buildings and administrative office expansion is currently out to bid. It is scheduled to be back and awarded by January 25, 2001. That project will be completed in approximately 10 months.

AZ Western College - Director Neumeyer reported that Class #20 has 23 cadets which will be graduating May 5, 2001. Class #21 will start February 2, 2001. No numbers were given with that report.

SALETC - Class #00-5, progressing well in week 7, currently has 46 cadets. They lost nine cadets since the beginning of that class. Class #01-1 is in week 1, and they currently have 45 cadets. They lost two cadets during the first week. Class #01-2 is projected to begin April 23, 2001, with an estimated 53 recruits

Eastern Arizona College - Class #2000 began June 7, 2000, with 15 cadets. Unfortunately, due to many situations, they now have 6 cadets. They lost a majority of their class during week 32. They have completed 537 hours of instruction. Five of the six cadets are testing with the Chandler and Phoenix Police Departments.

Northland Pioneer College - Nothing to report.

Navajo Department of Law Enforcement - Nothing to report.

Gila County Sheriff's Office - Nothing to report.

Glendale Community College - Nothing to report.

Mohave Community College - Nothing to report.

COTA Academy - Commander Sandra Walker reported that COTA currently has 8 classes in session, totaling 135 cadets. In the year 2000, COTA graduated 1,377 cadets, which was a 12 percent decrease over last year. The facility is currently at 66 percent occupancy. Since November 27, 2000, COTA conducted 23 ½ days of in-service training. They also assisted and partnered with external agencies, including DPS, SALETC, U.S. Federal Probation, Pima County Sheriff's Department, Navajo DPS, and MVD with housing and/or training facilities. In addition, COTA's curriculum expansion project will be evaluated by a TQM committee before it is presented to the SMF committee for review. The revised implementation date is in August.

seconded, motion carried unanimously. Mr. Garcia moved to revoke peace officer certification, Chief Corder seconded, motion carried unanimously. *Chief Hurtt recused himself from voting.*

CASE #5 - Jason D. Corona - Phoenix Police Department - The Board considered the Consent Agreement Order and Decision regarding the violation of R13-4-109A.6, 7, and 8. The Board considered comments made by Mr. Michael Napier, attorney for Officer Corona, and Asst. A. G. Diana Stabler. Sgt. Darius Potts, Officer Corona's immediate supervisor, spoke before the Board in support of Officer Corona. Officer Corona spoke before the Board on his own behalf. *Ms. Stabler asked for a recess to converse with Mr. Napier. Chairman Rose granted the recess at 3:15 p.m. The meeting reconvened at 3:30 p.m.* Sheriff Richards made a motion to adopt the Consent Agreement Order and Decision and suspend the peace officer certification retroactively from April 16, 1999, to March 9, 2000, Chief Corder seconded, motion carried unanimously. *Director Garrett and Chief Hurtt recused themselves from voting.*

CASE #12 - Gregory J. Sacco - Maricopa County Sheriff's Office - The Board considered the Consent Agreement Order and Decision. The Board considered comments by Mr. Michael Napier, attorney for Officer Sacco, and Asst. A. G. Diana Stabler. Captain James Miller, Commander of Criminal Court Services, MCSO, spoke before the Board in support of Officer Sacco. Officer Sacco spoke before the Board on his own behalf. Sheriff Richards made a motion to adopt the Consent Agreement Order and Decision and delay eligibility for peace officer certification until October 24, 2001, Mr. Forry seconded, motion carried unanimously.

Agreement Order and Decision for voluntary relinquishment of certification, Sgt. Eisenga seconded, motion carried unanimously.

CASE #4 - Jesus F. Celaya - Pima County Sheriff's Department - The Board considered the Consent Agreement Order and Decision. Chief Hurtt made a motion to adopt the Consent Agreement Order and Decision for voluntary relinquishment of certification, Sgt. Francis seconded, motion carried unanimously.

CASE #6 - Adam L. Hamblen - Glendale Police Department - The Board considered the Findings of Fact and Conclusions of Law regarding the violation of R13-4-109A.7, 8 and 9. Director Garrett made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, Chief Hurtt seconded, motion carried unanimously.

CASE #7 - Michael R. Hulsey - Mohave County Sheriff's Office - The Board considered the Findings of Fact and Conclusions of Law regarding the violation of R13-4-109A.6, 8 and 9. Chief Hurtt made a motion to adopt the Findings of Fact and Conclusions of Law and revoke peace officer certification, Mr. Forry seconded, motion carried unanimously.

CASE #8 - Larry D. McCarty - Navajo County Sheriff's Office - The Board considered the Consent Agreement Order and Decision. Sgt. Francis made a motion to adopt the Consent Agreement Order and Decision for voluntary relinquishment of peace officer certification, Sgt Eisenga seconded, motion carried unanimously.

CASE #9 - Hubert C. Moreno - Tohono O'Odham Police Department - The Board considered the Consent Agreement Order and Decision regarding violation of R13-4-109A.6 and 8. Chief Hurtt made a motion to adopt the Consent Agreement Order and Decision to suspend peace officer certification for a period of two years, August 11, 2000 to August 12, 2002, seconded by Sgt. Francis, motion carried unanimously.

CASE #10 - Gabriel Noriega - Santa Cruz County Sheriff's Department - The Board considered the Consent Agreement Order and Decision. Mr. Forry made a motion to adopt the Consent Agreement Order and Decision for voluntary relinquishment of peace officer certification, Chief Hurtt seconded, motion carried unanimously.

CASE #13 - Michael R. Shelton - Glendale Police Department - The Board considered the Findings of Fact and Conclusions of Law regarding violation of R13-4-109A.2, 7, 8 and 9. Chief Hurtt made a motion to adopt the Findings of Fact and Conclusions of Law, Director Garrett seconded, motion carried unanimously. *Chief Hurtt made a motion to amend his first motion to include revocation of peace officer certification, Director Garrett seconded, motion carried unanimously*

CASE #14 - Jason S. Snow - Kearny Police Department - The Board considered the Findings of Fact and Conclusions of Law submitted by Administrative Law Judge Diane Mihalaky. Sgt. Eisenga made a motion to adopt the Findings of Fact and

H. ADJOURN

Chairperson Jack Rose adjourned the meeting at 4:35 p.m.

Dated this 29th day of January 2001

BY: _____
Lois Sherlock, Recording Secretary

7. _____